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**From:** Peachey, Robert [peachey.robert@epa.gov]  
**Sent:** 5/6/2019 3:46:39 PM  
**To:** Moore, Kendall [moore.kendall@epa.gov]; Mullin, Michelle [Mullin.Michelle@epa.gov]; Ramanauskas, Peter [ramanauskas.peter@epa.gov]  
**Subject:** FW: Bard v. Monroe S.D.\_PCB Materials

FYI

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**From:** Mike T. Kitson <mtk@pattersonbuchanan.com>  
**Sent:** Friday, May 03, 2019 5:38 PM  
**To:** Peachey, Robert <peachey.robert@epa.gov>  
**Cc:** Mannix, John <mannixj@monroe.wednet.edu>; Patrick S. Schoenburg <pschoenburg@wshblaw.com>; Scott I. Jamieson <sij@pattersonbuchanan.com>; Jennifer R. Friesen <jrf@pattersonbuchanan.com>  
**Subject:** Bard v. Monroe S.D.\_PCB Materials

Good Afternoon Robert,

Thank you for your call today. Per your request this email is provided to recap the information I provided to you in our call.

As I indicated, the District has been required to hold onto evidence pertaining to the Bard v. Monroe School District litigation. Plaintiffs' counsel sent the District a litigation hold request with the tort claims that were filed in August 2017. At the time the litigation hold was received, the District had possession of one steel drum that had PCB-containing materials in it. This steel drum was, and still is, being stored in a locked maintenance shed. This shed is not on a school campus and is therefore inaccessible to anyone except for a select number of District maintenance personnel. Plaintiffs recently conducted a site inspection, and their experts were provided access to the steel drum to test its contents. Accordingly, the District will be reaching out to the parties to see if there is any objection to the District disposing of the materials per EPA guidelines. We will let you know if any of the parties object to disposal of the materials and request possession of the drum.

Please do not hesitate to contact me if you have any questions or concerns.

Best,

Mike

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